

STEWART WEINBERG
DAVID A. ROSENFELD
WILLIAM A. SOKOL
BLYTHE MICKELSON
BARRY E. HINKLE
ANTONIO RUIZ
MATTHEW J. GAUGER
ASHLEY K. IKEDA
LINDA BALDWIN JONES
PATRICIA A. DAVIS
ALAN G. CROWLEY
KRISTINA L. HILLMAN
EMILY P. RICH
BRUCE A. HARLAND
CONCEPCIÓN E. LOZANO-BATISTA
CAREN P. SENCER
ANNE I. YEN
KRISTINA M. ZINNEN
JANNAH V. MANANALA
MANUEL A. BOIGUES
KERIANNE R. STEELE
GARY P. PROVENCHER
EZEKIEL D. CARDER
MONICA T. GUIZAR
LISL R. SOTO
JOLENE KRAMER

January 17, 2019

VIA ELECTRONIC FILING

Ms. Roxanne Rothschild
Executive Secretary
National Labor Relations Board
1015 Half Street, SE
Washington, D.C. 20570-0001

**Re: Tarlton and Son, Inc. and Robert Munoz, an individual
Cases 32-CA-119054 and 32-CA-126896**

Dear Ms. Rothschild:

The purpose of this letter is to call to the Board's attention the recent decision in the United States Supreme Court in *New Prime, Inc. v. Oliveira*, 17-340, with respect to the application of the Federal Arbitration Act to workers engaged in transportation. This relates to pages 1-4, 8-10 of the Charging Party's additional position statement.

Sincerely,



David A. Rosenfeld

OF COUNSEL

ROBERTA D. PERKINS
NINA FENDEL
TRACY L. MAINGUY
ROBERT E. SZYKOWNY
ANDREA K. DON
LORI K. AQUINO
SHARON A. SEIDENSTEN

• Admitted in Hawaii
♦ Also admitted in Nevada
▼ Also admitted in Illinois
► Also admitted in New York and
Alaska
• Also admitted in Florida
♦ Also admitted in New York
♦ Also admitted in Minnesota

DAR:kk
opeiu 29 afl-cio(1)

136172\1006416

cc: See Proof of Service attached

PROOF OF SERVICE

I am a citizen of the United States and resident of the State of California. I am employed in the County of Alameda, State of California, in the office of a member of the bar of this Court, at whose direction this service was made. I am over the age of eighteen years and not a party to the within action.

On January 17, 2019, I served the following documents in the manner described below:

CORRESPONDENCE TO EXECUTIVE SECRETARY RE *NEW PRIME, INC. V. OLIVEIRA*

- ☒ (BY ELECTRONIC SERVICE: By electronically mailing a true and correct copy through Weinberg, Roger & Rosenfeld's electronic mail system from kkempler@unioncounsel.net to the email addresses set forth below.

On the following part(ies) in this action:

Richard S. Zuniga
Hill, Farrer & Burrill, LLP
300 South Grand Avenue, 37th Floor
Los Angeles, CA 90071
rzuniga@hillfarrer.com

Amy Berbower
Christy J. Kwon
National Labor Relations Board, Region 32
1301 Clay Street, Suite 300N
Oakland, CA 94612
amy.berbower@nlrb.gov
crhristy.kwon@nlrb.gov

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 17, 2019, at Alameda, California.

/s/ Karen Kempler
Karen Kempler